

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Raymond J. Dattwyler, Gerald Seinost, Daniel Dykhuizen, Benjamin J. Luft,
and Maria J.C. Gomes-Solecki

Application No.: 09/596,746

Group: 1643

Filed: June 19, 2000

Examiner: Not Assigned

For: Groups of Borrelia Burgdorferi and Borrelia Afzelii that Cause Lyme Disease in Humans



CERTIFICATE OF MAILING	
I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as First Class Mail in an envelope addressed to Assistant Commissioner for Patents, Washington, D.C. 20231	
on <u>11/21/00</u>	<u>Hollie Wakefield</u>
Date	Signature
<u>Hollie Wakefield</u>	
Typed or printed name of person signing certificate	

REPLY TO NOTICE TO FILE MISSING PARTS OF APPLICATION

Box Missing Parts
Assistant Commissioner for Patents
Washington, D.C. 20231

Sir:

In reply to the Notice to File Missing Parts dated September 1, 2000, the following documents and fees are being submitted for filing in the captioned application:

- ☒ **EXECUTED DECLARATION/POWER OF ATTORNEY** - A copy of the Notice is attached.
(Separate transmittal letter and postcard not required)
- ☒ **FILING FEE** - with Fee Transmittal for Patent Applications in duplicate.
(Separate transmittal letter and postcard not required)
- ☒ **SURCHARGE** - surcharge fee of \$65.00.
(Separate transmittal letter and postcard not required)
- ☐ **SEQUENCE LISTING** - Filed concurrently and is attached.
(Separate transmittal letter and postcard required)

11/29/2000 HNDOR1 00000038 09596746

04-FC:203
05-FC:215

~~252.00 OP~~
55.00 OP

[X] PETITION FOR EXTENSION OF TIME

[X] Applicant hereby petitions to extend the time to respond to the Notice to File Missing Parts dated September 1, 2000 for one month from November 1, 2000 to December 1, 2000. The appropriate fee of \$55.00 is included in the enclosed check.

[] A **[]** month extension of time to respond to the Notice to File Missing Parts dated **[]** was filed on **[]** with payment of a \$**[]** fee.

[] Applicant hereby petitions for an additional **[]** month extension of time to respond to the Notice to File Missing Parts. The appropriate fee of \$**[]** is included in the enclosed check.

(Separate Petition for Extension of Time and postcard not required)

[] REQUEST FOR CORRECTED FILING RECEIPT - Filed concurrently and is attached.

(Separate transmittal letter and postcard required)

[X] VERIFIED STATEMENT CLAIMING SMALL ENTITY STATUS

[] Was filed on **[]**.

[x] Is enclosed herewith.
(Separate transmittal letter and postcard not required)

[] In view of the small entity status of the captioned application, we hereby request a reimbursement of 50% of the filing fees in the amount of \$**[]** which were paid on **[]** to be deposited in Deposit Account No. 08-0380.

The fees required for filing the indicated documents are enclosed in the form of a check in the total amount of **\$967.00**. Please charge any deficiency or credit any overpayment in the fees that may be due in this matter to Deposit Account No. 08-0380. A copy of this letter is enclosed for accounting purposes.

Respectfully submitted,

HAMILTON, BROOK, SMITH & REYNOLDS, P.C.

By Sandra A. Brockman
Sandra A. Brockman
Registration No.: 44,045
Tel.: (781) 861-6240
Fax: (781) 861-9540

Lexington, Massachusetts 02421-4799

Date: November 20, 2000

HAMILTON, BROOK, SMITH & REYNOLDS, P.C.

FREE TRANSMITTAL FOR PATENT APPLICATIONS

Attorney Docket Number

2631.1002-001

Application Number

09/596,746

First Named Inventor

Raymond J. Dattwyler

CLAIM CALCULATION (includes any preliminary amendment)

CLAIMS	(1) FOR	(2) NUMBER FILED	(3) NUMBER EXTRA	(4) RATE	(5) CALCULATIONS
	TOTAL CLAIMS (37 CFR 1.16(c) or (j))	48 - 20* =	28	x \$ 18 =	\$ 504
	INDEPENDENT CLAIMS (37 CFR 1.16(b) or (i))	9 - 3** =	6	x \$ 80 =	\$ 480
	MULTIPLE DEPENDENT CLAIMS (if applicable) (37 CFR 1.16(d))			+ \$ 270 =	\$
				BASIC FEE (37 CFR 1.16(a) or (h))	\$ 710
				Total of above Calculations =	\$ 1694
	Reduction by 50% for filing by small entity (37 CFR 1.9, 1.27, 1.28) =				\$ 847
	TOTAL =				\$ 847
	Surcharge - Late Filing of Declaration or Filing Fees (37 C.F.R. 1.16(e)) =				\$ 65
	Petition for Extension of Time Fee (37 C.F.R. 1.17) =				\$ 55
	Assignment Recordation Fee = (only when filed with application)				\$
	TOTAL =				\$ 967
	* Reissue claims in excess of 20 and over original patent				
	** Reissue independent claims over original patent				

* Reissue claims in excess of 20 and over original patent
** Reissue independent claims over original patent

1. Small entity status:

- a. ☒ A small entity statement is enclosed.
- b. ☐ A small entity statement was filed in the prior non-provisional application and such status is still proper and desired.
- c. ☐ Is no longer claimed.

2. ☒ A general authorization is hereby granted to charge deposit account number 08-0380 for any fees required under 37 CFR 1.16 and 1.17 in order to maintain pendency of this application. A copy of this authorization is enclosed for accounting purposes.

3. ☐ A check is enclosed for \$967.00. ☐ Please charge \$[] to Deposit Account No. 08-0380.

4. ☐ Other: _____

Signature	<i>Sandra A. Brockman</i>	Date	November 20, 2000
Submitted by Typed or Printed Name	Sandra A. Brockman	Reg. Number	44,045



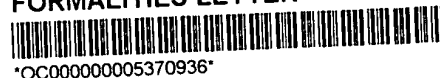
UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS
UNITED STATES PATENT AND TRADEMARK OFFICE
WASHINGTON, D.C. 20231
www.uspto.gov

APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
09/596,746	06/19/2000	Raymond J. Dattwyler	2631.1002-001

Richard W Wagner Esq
Hamilton Brook Smith & Reynolds P C
Two Militia Drive
lexington, MA 02421

FORMALITIES LETTER



OC000000005370936

Date Mailed: 09/01/2000

NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

Filing Date Granted

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given TWO MONTHS from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The statutory basic filing fee is missing.
Applicant must submit \$ 690 to complete the basic filing fee and/or file a small entity statement claiming such status (37 CFR 1.27).
- Total additional claim fee(s) for this application is \$894.
 - \$504 for 28 total claims over 20.
 - \$390 for 5 independent claims over 3.
- The oath or declaration is missing.
A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.
- The balance due by applicant is \$ 1714.

Customer Service Center
Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE

file://C:\APPS\PreExam\correspondence\2_B.xml

11/29/2000 HND0R1 00000038 09596746 355.00 OP
01 FC:201 163.00 OP
02 FC:205 240.00 OP
03 FC:202
11/29/2000 HND0R1 00000038 09596746 252.00 OP
04 FC:203
8/31/00